IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3015 OF 2006
IN
EXECUTION APPLICATION NO.248 OF 2003
IN
SUIT NO.4322 OF 1998

Barter Leasing & Finance Ltd. ....Plaintiff
V/s.
Umesh B. Duggal & Ors. ....Defendants
And
Nilam Nagar Co-Op. Hsg.Society ....Applicant

Mr.H.A. Shah i/b Mr.A.G. Shah for the Plaintiff.
Mr.Pankaj Das for the Applicant in support.

CORAM : S.J. VAZIFDAR, J.
DATED : 7TH SEPTEMBER, 2006.

P.C. :

1. The Notice of Motion is heard finally.

2. By this Notice of Motion the Society seeks to intervene in the above application for execution of the decree on the ground that its dues in respect of the flat sought to be attached and sold in execution have not been paid.

3. The Society is at liberty to adopt appropriate proceedings as well as to refuse to permit a transfer even if the decree is executed till its dues are paid.

4. The Notice of Motion is dismissed.